IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

ONEITA E. CHINO on behalf of her minor daughter, S.C.,

Plaintiff,

– vs. – **Civ. No. 09-71 RHS/ACT**

J.R. ABEYTA; and SANTA FE INDIAN SCHOOL, INC.,

Defendants.

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Plaintiff ONEITA E. CHINO on behalf of her minor daughter, S.C., and Defendants J.R. ABEYTA, SANTA FE INDIAN SCHOOL, INC., and the UNITED STATES OF AMERICA, by and through their undersigned counsel, hereby stipulate and agree that this action is dismissed without prejudice, with the parties to bear their own costs.

This Stipulation is entered into in accordance with the provisions of Rule 41(a)(1)(ii), Federal Rules of Civil Procedure.

Execution of this Stipulation by counsel for SANTA FE INDIAN SCHOOL, INC. and counsel for J.R. ABEYTA does not constitute an admission that either SANTA FE INDIAN SCHOOL, INC. or J.R. ABEYTA is a proper party defendant in this action.

FOR PLAINTIFF:

Approved electronically 1/27/09
Jason Bowles, Esq.
B.J. Crow, Esq.
P.O. Box 25186
Albuquerque, NM 87125-5186

and

Approved electronically 1/27/09
Sam Bregman, Esq.
Eric Loman, Esq.
111Lomas Blvd., N.W., Suite 230
Albuquerque, NM 87102

FOR DEFENDANT J.R. ABEYTA

Approved telephonically 1/27/09
Tova Indritz, Esq.
2040 Fourth St., N.W.
Albuquerque, NM 87102

FOR DEFENDANT SANTA FE INDIAN SCHOOL, INC.

Approved electronically 1/26/09
Wayne H. Bladh, Esq.
Nordhaus Law Firm, LLP
1239 Paseo de Peralta
Santa Fe, NM 87501

FOR THE UNITED STATES OF AMERICA

GREGORY J. FOURATT
United States Attorney

/s/ Electronically filed 1/28/09
JOHN W. ZAVITZ
Assistant U.S. Attorney
P.O. Box 607
Albuquerque, New Mexico 87103
Tel: (505) 346-7274
Fax: 505-346-7205